IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.1457 OF 2007

Mrs. Vaishali Tanaji Patil ... Petitioner
v/s.
The State of Maharashtra and others .. Respondents

Mr. N.V. Bandiwadekar for the petitioner.
Mr. V.P. Malwankar, Assistant Government Pleader for the respondent No.1.

CORAM : F.I. REBELLO &
R.M. SAVANT, JJ.
DATED : 2ND APRIL, 2007

P.C.

The petitioner seeks to rely on Rule 3(2) of the Maharashtra Employees of Private Schools Rules, 1981. That Rule uses the terminology "Management desires to appoint a person from the teaching staff". Thus Rule applies in a case where an experienced teacher is not available and the Management desires to appoint somebody from the teaching staff. The very fact that the management advertised the vacancy by itself is an answer, meaning thereby that the Management was not desirous of appointing from the existing teaching faculty.

2. Considering the above, in our opinion, it will not be possible to issue any writ to the Management as there is no legal right in the petition. In the light of that, no interference is called for. Petition disposed of.

(F.I. REBELLO, J.)

(R.M. SAVANT, J.)